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Centennial Celebration of American Independence.

SPEECH

OF

HON. J. RANDOLPH TUCKER,

OF VIRGINIA,

IN THE

HOUSE OF REPRESENTATIVES,

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The House, as in Committee of the Whole, having under consideration the bill (H. R. No. 514) relating to the centennial celebration of American Independence—

Mr. TUCKER said:

Mr. CHAIRMAN: I am entirely conscious that in opposing this bill I shall meet cavils from gentlemen all around me and on the other side of this Hall at my wisdom, liberality, and patriotism. But however much I might be depressed by this view, I am cheered by the reflection that the path of duty lying before me in respect to this centennial bill is as clear as it ever was in regard to any question brought to my consideration.

Mr. Chairman, what do you propose to celebrate in this centennial year? Do you propose to have a material exhibition only, or an exhibition worthy of the great moral principles which are illustrated by the anniversary of our independence?

If I mistake not, three great principles underlie or are involved in the Declaration of Independence: the principle of individual liberty, the principle of local government in its struggle against centralized power, and the exemption of the American destiny from the controlling influence of European polity. I will cordially unite with gentlemen anywhere, North or South, East or West, in celebrating the centennial anniversary in the maintenance and illustration of these three principles, so vital and essential to the full success of our republican institutions.

Let me feel that the liberty of the citizen is secured against despotic power; let me be assured that the freedom and independent action, the autonomy of the States, as Chief Justice Chase has expressed it, is well guarded against the arbitrary and usurping exercise of Federal authority; let me see that American destiny is guided alone by its own polity and free from the interference and intrusion of European counsels; and then indeed, sir, we may have a real centennial anniversary!

The gentleman who preceded me [Mr. FRYE] has said that the Constitution and constitutional questions are an enigma to him. I am not surprised at it, looking at his mode of interpreting it. Any gentleman who will ever raise a constitutional question after this bill shall have passed upon the interpretation adopted to sustain its constitutionality, will really be worthy of commiseration.

I say, sir, *that the spirit of the centennial is obedience to the Constitution.* And when gentlemen tell me that the centennial exhibition is to be a manifestation of the inventive power of the American mind, I answer that the greatest invention of American genius has been left out of view entirely. And what is that? The greatest invention of Amer-

pense of inviting him and bringing him here. Are not those expenditures within reasonable and suitable limits contained in the grant of the national powers, to the exercise of which with suitable dignity those expenditures are neeessary? And is not the celebration of the centennial once in a hundred years one of its properly attendant and implied expenditures?

Mr. TUCKER. I am very much pleased, sir, to respond, as I shall do before I am done fully, I think, to the elaborate question of the gentleman from Massachusetts.

Mr. HOAR. I thank the gentleman for the courtesy with which he has allowed me to put the question.

Mr. TUCKER. The gentleman need not thank me. I will always extend the same courtesy to any gentleman in this Hall. Now, sir, there is one element which is wanting as a basis for the whole hypothesis of the gentleman from Massachusetts. I would say that it is a *substantive* element, except that it is an *adjective;* it is the word "national." I want the learned gentleman from Massachusetts to point out to me—and I will give him until night to do so—the word "national" in respect to power or in respect to anything else in the Constitution of the United States.

Mr. HOAR. The powers to levy war, to conclude peace, to establish commerce, imply a nation in every line where they are granted.

Mr. TUCKER. If that, Mr. Chairman, is what the gentleman calls national power, very well. I understand him now. The gentleman quotes the power to levy war. By the by, there is no such power. There is the power to "*declare*" war, (I desire to be a little accurate,) and the power "to raise and support armies."

Mr. HOAR. We can levy war after we declare it.

Mr. TUCKER. That word "levy," however, is not in the Constitution. The Constitution also gives the power to Congress—

> To provide and maintain a navy; to make rules for the government and regulation of the land and naval forces.

That covers the whole of the question which gentlemen have sometimes asked me: "How can you fire a salute?" It can be done under the power of Congress—

> To make rules for the government and regulation of the land and naval forces.

Mr. LAWRENCE. Will the gentleman allow me to interrupt him for a moment? I find in the letter of George Washington——

Mr. TUCKER. I would willingly yield to the gentleman, but I hope it will not come out of my time, for I have a good distance to travel yet.

Mr. LAWRENCE. I merely desire to call his attention to the letter of George Washington transmitting the Constitution to Congress, in which the Congress is called a national government.

Mr. TUCKER. I know that. What I said was that the word is not in the Constitution. The gentleman has not found it there. He finds it outside of the Constitution.

Mr. LAWRENCE. In the letter of the man who made it.

Mr. TUCKER. That man did not make it. No man made it. And the Federal convention did not make it. If the gentleman wants to know who made it, I say the States made it.

Mr. HOLMAN. Does not the Constitution declare—

> We, the people of the United States?

Mr. TUCKER. I am not to be betrayed now into a discussion of that old question.

Mr. HOLMAN. It is an old question no doubt, and a question that lies at the foundation of this nation. The language is:

We, the people of the United States, * * * do ordain and establish this Constitution for the United States of America.

Mr. TUCKER. Mr. Chairman, nothing in the world would gratify me more than to discuss this question if I had time. I feel that upon this question I would like to have inquiries made of me on all sides; for I really think, from the stand-point I occupy, I could answer them successfully; but my friend from Indiana will excuse me if I do not go into that question. But if at any future period he desires to discuss it, I will be ready for that discussion.

Mr. HOLMAN. I did not intend to interrupt the gentleman, and I beg his pardon.

Mr. TUCKER. Now, sir, in reference to the power to pass this bill there is one phrase which is greatly relied upon; and if I can show that it fails to give constitutionality to this bill, then I think I will have cleared up all difficulties. Gentlemen have said that there is power given to Congress "to provide for the common defense and general welfare." I deny it *in toto*. I say there is *no grant of power* to provide for the common defense and general welfare. The language of the Constitution in connection with that phrase, its origin and adoption into the Constitution, and the debates in the Federal convention show conclusively that they indicate the object of the previously delegated tax power, and are not in themselves a substantive grant of power. This has been shown by what was said by my able friend from Pennsylvania, [Mr. COCHRANE.] He showed that Judge Story had interpreted the clause as if the words "in order" were inserted before the words "to pay debts," &c.; so that the clause would read:

Congress shall have power to lay and collect taxes, duties, imposts, and excises, [in order] to pay the debts and provide for the common defense and general welfare; * * * but all duties, imposts, and excises shall be uniform throughout the United States.—(Constitution United States, article 1, § 8.)

That this is the true interpretation will appear from the grammatical construction of the sentence. It consists of three branches: the first as to laying and collecting, the second as to paying debts and providing for common defense and general welfare, and the third a qualification on the power in the first branch of the sentence. To suppose the learned men of the convention would have interjected as a substantive *power* the words in the second branch of the sentence, and then in the third branch qualified the first branch, would be to attribute to them a lamentable lack of knowledge of the rules of grammar and of style.

Hence the usual and generally-conceded construction of the second clause has been that it is attached to the first clause as a definition of the objects of the tax power, limiting its use only to such objects, and that the second clause cannot be fairly held to contain a new and substantive grant of power.

Now, sir, it is a very curious fact (and I beg to call the attention of the distinguished gentleman from Massachusetts to it) that this clause, "to provide for the common defense and general welfare," finds its origin in a Constitution which confessedly gave so little power to Congress that Congress had to beg from the States additional grants of power in order to perpetuate its own frail and precarious existence.

You will find that in three clauses of the Articles of Confederation, not adopted finally until March, 1781, and which were in force thereafter until the adoption of the Federal Constitution in 1789, the words are to be found. Thus in the eighth article, the following words oc-

cur: "All charges of war and all other expenses that shall be incurred for the common defense or general welfare * * * shall be defrayed out of a common treasury, which shall be supplied by the several States," &c. The same phrase occurs in two other clauses of the same instrument.

Now, sir, if these words give the power which gentlemen claim they give under the present Constitution, how was there any lack of power in the old Congress of the Confederation? And yet its lack of power was so notorious, so inconvenient, and so alarming that Congress came again and again to the very footstool of the States and begged for additional grants of power to save the Confederation from perishing.

When, afterward, these words were transferred from the Articles of Confederation into the Federal Constitution they were brought with their original meaning, which cannot be changed without violating well-settled principles of interpretation and the dictates of common sense. In their original use they did not define a grant, but the objects of a previous grant of power; and, when put into the present Constitution in a like connection to the same power as when originally used, we are bound to refer them to the previous grant of the tax power as merely defining the object and purpose of its delegation, and they cannot now be interpreted to constitute a separate and distinct grant of power.

But, sir, I am not left upon this subject to grope in the dark and without authority. The gentleman from Pennsylvania [Mr. COCHRANE] was on the same track as myself, and he has quoted the language of Mr. Madison as authority. I quote it for a higher purpose. I quote it, sir, because it is found in The Federalist, a work written in order to induce the adoption of the Federal Constitution. It is, therefore, not only a contemporaneous exposition, but more. Gentlemen on the other side must concede that it was not only a contempore exposition, but an exposition held out as an inducement to the people to adopt the constitution. If you adopt a different interpretation of its words from that put upon them by Madison, you will commit a fraud upon the people who adopted them, upon a false representation of their meaning.

Now, what does Mr. Madison say? I read again the passage read by the gentleman from Pennsylvania this morning, and I beg attention to it. I read from the forty-first number of The Federalist;

> Some who have not denied the necessity of the power of taxation have grounded a very fierce attack against the Constitution on the language in which it is defined. It has been urged and echoed that the power "to lay and collect taxes, duties, imposts, and excises, to pay the debts and provide for the common defense and general welfare of the United States," amounts to an unlimited commission to exercise every power which may be alleged to be necessary for the common defense or general welfare. No stronger proof could be given of the distress under which these writers labor for objections, than their stooping to such a misconstruction.

The committee will observe that what Madison calls a misconstruction to which no worthy objector should stoop is the very construction to which gentlemen now resort in order to give a force to these words, which, before the Constitution was adopted and in order to secure its adoption, Madison assured the people it was not susceptible of.

Now see what he further says:

> Had no other enumeration or definition of the power of the Congress been found in the Constitution than the general expression just cited, the authors of the objection might have had some color for it, though it would have been difficult to find a reason for so awkward a form of describing to legislate in all possible cases. A power to

destroy the freedom of the press, the trial by jury, or even to regulate the course of descents, or the forms of conveyances, must be very singularly expressed by the terms "to raise money for the general welfare."

But what color can the objection have when a specification of the object alluded to by these general terms immediately follows, and it is not even separated by a larger pause than a semi-colon. If the different parts of the same instrument ought to be so expounded as to give meaning to every part which will bear it, shall one part of the same sentence be excluded altogether from a share in the meaning, and shall the more doubtful and indefinite terms be retained in their full extent, and the clear and precise expresssions be denied any significance whatsoever?

For what purpose could the enumeration of particular powers be inserted if these and all others were meant to be included in the preceding general power? Nothing is more natural or common than first to use a general phrase and then to explain and qualify it by a recital of particulars.

But the idea of an enumeration of particulars which neither explain nor qualify the general meaning, and can have no other effect than to confound and mislead, is an absurdity which we are reduced to the dilemma of charging either on the authors of the objection or on the authors of the Constitution, we must take the liberty of supposing, had not its origin with the latter

The objection here is the more extraordinary as it appears that the language used by the convention is a copy from the Articles of Confederation. The objects of the union among the States, as described in article 3, are, "Their common defense, security of their liberties, and mutual and general welfare." The terms of article 8 are still more identical. "All charges of war, and all other expenses that shall be incurred for the common defense or general welfare, and allowed by the United States in Congress, shall be defrayed out of a common treasury," &c. A similar language again occurs in article 9. Construe either of these articles by the rules which would justify the construction put on the new Constitution, and they vest in the existing Congress a power to legislate in all cases whatsoever. But what would have been thought of that assembly if, attaching themselves to these general expressions, and disregarding the specifications which ascertain and limit their import, they had exercised an unlimited power of providing for the common defense and general welfare? I appeal to the objectors themselves whether they would in that case have employed the same reasoning in justification of Congress as they now make use of against the convention. How difficult it is for error to escape its own condemnation.

Now, sir, there is the language of Mr. Madison before the Constitution was adopted. He put his emphatic reprobation upon any attempt before the Constitution was adopted and afterward to give to these words "general welfare" any meaning which would give unlimited powers to Congress, or any other meaning than merely to declare the object of the previous grant of power.

I ask, is it fair to give to them now a meaning which the people were then assured they could not bear, and on which assurance the people waived the objection and ratified the Constitution?

Now it is a remarkable fact that, in the convention which formed the Constitution, Alexander Hamilton, whose early fate was a cause of lament at least to one portion of the old federal party, proposed, as Mr. Madison reports it, that Congress should have power "to pass all laws which they shall judge necessary to the common defense and general welfare of the Union." I hope the advocates of this measure will hear this; for the proposition made by Hamilton in reference to the powers of Congress, and which was rejected, is your only show of authority to pass this centennial appropriation. Mr. Hamilton proposed that Congress should have power to pass all laws which they should judge necessary to the common defense and general welfare of the United States. Now suppose that proposition had been adopted in that form. But, instead of being adopted, it was rejected, and the present formal enumeration of powers was inserted in lieu of this general and sweeping clause.

If this Congress has the sweeping power to provide for the general welfare and to do whatever it may judge to be necessary therefor, this Government becomes at once vested with unlimited power. We may then throw up our hands and never say again that Congress has

not the power to do anything it pleases. I know no other limitation, no other breakwater to the unrestricted authority of Congress to absorb all the reserved powers of the States and to become a centralized despotism, if such a construction of these words be admitted. My only hope to arrest consolidation is in limiting the power of Congress to the specifications of the grants contained in the Federal Constitution.

But gentlemen, despairing of finding any particular clause of the Constitution for their purpose have asked me how we could build this beautiful Dome to the Capitol. Now, if gentlemen will read the Constitution of the United States, and study it, and, as the prayer-book says, "inwardly digest it," they will find this provision in the sixteenth clause of the eighth section of article 1 of the Constitution:

> To exercise exclusive legislation in all cases whatsoever, over such district (not exceeding ten miles square) as may, by cession of particular States, and the acceptance of Congress, become the seat of the Government of the United States, and to exercise like authority over all places purchased by the consent of the Legislature of the State in which the same shall be, for the erection of forts, magazines, arsenals, dock-yards, and *other needful buildings.*

Thus there is a clear implication of a grant of power to erect a capitol. But gentlemen say, "Why did you not build a brick building? Would not that have done?" Well, I might say, why did you not build it of weather-boards? Somebody else might say, "Why did you not build merely a log house? Why do you not live like the old patriarchs, in tents? What is the use of having any house at all?" I answer that the power being given to build "*needful* buildings," the discretion as to what is the necessity of the Government is of course left to Congress. And in reference to that I will answer, as poor old Lear did to his miserable daughters when they undertook by reasoning to deprive him of his royal dignities and reduce him to dependence upon the mercies of "a thankless child:"

> "O, reason not the need:
> * * * *
> Allow not nature more than nature needs,
> Man's life is cheap as beast's."

And when gentlemen ask how these pictures can come here, I will say to them that if they will read the later decisions of the higher courts of Great Britain they will find that the doctrine held by those courts is that pictures and statuary, intended as parts of the general plan of a building, are a part of the realty. Pictures are fixtures, and are as much needed to a public building as a cornice, a portico, or a dome. That is the way in which the picture of George Washington is constitutionally a part of this Capitol—this needful building. I venture further to say to the gentleman from Ohio, [Mr. GARFIELD,] who spoke on that question the other day, that Washington, in the eye of the law, was a perjured rebel. As he was an officer in His Majesty's army, I take it for granted that he had sworn to serve the Crown faithfully, and afterward he went into rebellion.

Mr. GARFIELD. Did Washington hold a commission in the British army when the war of the Revolution broke out?

Mr. TUCKER. No.

Mr. GARFIELD. That is the point.

Mr. TUCKER. Then his oath of allegiance held good only so long as he held a commission?

Mr. GARFIELD. When his commission expired.

Mr. TUCKER. When he resigned.

Mr. GARFIELD. He did not resign.

Mr. TUCKER. He did resign.

Mr. GARFIELD. He was not an officer in the Army at the time.

Mr. TUCKER. He did resign; the gentleman does not know the history of his own country. [Laughter.]

Mr. GARFIELD. Did he resign to take service against the crown?

Mr. TUCKER. O, no. But he resigned, and afterward took service in the rebellion. When the gentleman was speaking of perjury the other day he spoke of those in the South who resigned and afterward took service in the civil war on the confederate side.

Mr. GARFIELD. My friend will allow me to correct him. I did not speak of those who resigned their commissions and afterward took service against the Union. I spoke of those who yet being under oath contemptuously struck against us without resigning, as many of them did, with their oaths still on their souls.

Mr. TUCKER. I do not know of any such persons. If the gentleman had the other day so qualified his remark as he has explained it to-day, I would not have now referred to him. My only vindication now—I need no vindication, for it is in my own conscience—my reason for referring to what he said was that I represent on this floor a little town where sleep the remains of one of the noblest Americans that ever trod its soil. He sleeps in death, and no dishonor can ever, expressly or by implication, be cast upon that honored grave that the representative of that district will not rise here and repel it.

Now to come back to the question about the pictures here, from which I have been led away, (I do not say intentionally.) According to the decisions of the highest courts, as I have said, these pictures are fixtures, and therefore they are a part of this building. What is a needful building therefore involves the question, what fixtures are needful to make it a proper place in which to hold the sessions of the Congress of the United States? Upon that question Congress has a discretion on which the Constitution puts no limit.

Somebody has asked about ambassadors; I think somebody on the street the other day asked me the question. I do not know that it has appeared in this debate. What authority was there for expenditures for the entertainment of the Chinese and Japanese ambassadors? I will say to gentlemen that if they will read the Constitution carefully they will find that power is given in it to the President of the United States "to receive public ministers and ambassadors."—*Constitution United States*, article 2, § 3.

Then the power is given to Congress—

> To pass all laws necessary and proper to carry into execution the foregoing powers—

That is, the powers granted to Congress—

> and all other powers vested by this Constitution in the Government of the United States or in any department or officer thereof.

So that the power of Congress to pass a law necessary and proper for giving the President authority to receive ambassadors in an appropriate way is clearly within the very letter of the Constitution.

Now I look at another point. One gentleman asked about the exploration of the Polar Sea, the observation of the transit of Venus, and the support of a Government Observatory. These things are clearly done under the power to provide and maintain a navy, because the provision and maintenance of a navy require that these scientific matters as to the geography of the earth and the celestial mechanism, having obvious relation to the navigation of the great deep, may be known, in order that our Navy may traverse the seas and oceans of

the world safely to itself, and as a security to our vast foreign and home commerce. The exploration of the Polar Sea is legitimate either under the power to provide and maintain a navy or the power to regulate commerce with foreign nations. Wherever the enterprise of American seamen carries them, there must be safety for the Navy of the United States, and it is the business of the Government to protect the American shipper the world over from the dangers incident to those who do business on the great waters.

Mr. BAKER, of Indiana. Will the gentleman allow me to ask him a question?

Mr. TUCKER. Certainly.

Mr. BAKER, of Indiana. Does the gentleman deny that the people of the United States constitute one nation and the Government thereof a national government?

Mr. TUCKER. O; well, sir, that is not a centennial question.

Mr. BAKER, of Indiana. Does the gentleman object to answering the question?

Mr. TUCKER. I do, sir, object to answering it now.

Mr. BAKER, of Indiana. Ah!

Mr. TUCKER. Let me tell the gentleman that if he supposes there is any question which he can put to me that I will seek to evade, he is vastly mistaken.

Mr. BAKER, of Indiana. Then I should be glad to have the gentleman answer my question.

Mr. TUCKER. Well, sir, the gentleman cannot put me to an answer except by my courtesy.

Mr. BAKER, of Indiana. I did not desire to do so.

Mr. TUCKER. Knowing my rights on that point, I am not to be led away from the subject under discussion to answer what to me appears to be an idle question in respect to the present debate.

Mr. BAKER, of Indiana. I did not intend to divert the gentleman from the subject.

Mr. TUCKER. Now, Mr. Chairman, something was said the other day about these grants of public lands for educational purposes. My friend from New York, [Mr. HEWITT,] if he will permit me to call him so—I will call him so whether he permits it or not—said something yesterday about this Government being confessedly an educator of the people. Confessedly! Confessedly by whom? I never confessed it. I not only do not confess it, but I deny it *in toto*. What! is it pretended that this Government can intrusively control the common schools of every State of this Union; that it can enter your State, sir, or mine, and fix up or manipulate the common-school system according to the views of gentlemen here who know and can know nothing in the world about them?

Mr. HEWITT, of New York. I certainly intended to convey no such impression. Probably I was very inaccurate in my expression, but the only thing I intended to say on that point was that it is one part of the mission of this Government—a mission which it has heretofore in some measure performed—to promote education and things looking to the education of the people, but not to take control of the subject.

Mr. TUCKER. I did not mean to say anything that would even put my friend to an answer. I only wish to remind my democratic friends that this Government *has no mission except to execute its powers and perform its duties under and in subjection to the supreme law of the land, the Constitution of the country.* In that connection my friend referred to grants of land for educational purposes. I think the

gentleman will find that wherever that has been a conceded power it has been upon the ground that as the public lands were granted or have been acquired for the common benefit of all the States of the Union and as the duty is devolved upon Congress of forming out of these Territories new States that may come into the Union, it is essential that in building up these nurseries of States—in training that foster child of the Government, the Territory, until it shall be a full-grown State, it is essential that there should be grants of public lands to the Territory for purposes of education; and those grants of public lands being made in the State wherein they lie, I suppose it was considered fair on the part of the Government that there should be grants of land to the old States for like purposes, in order that thus the donations of land should be made among the old and new States for the equal and common benefit of all. That is my answer to that question.

I have done with the constitutional question, as my time will not allow me to go into it further. I put it upon this ground: Show me the granted power or how this bill is necessary and proper to carry into effect an expressly granted power, or before God and under my oath I cannot vote for it.

Talk about sentimental patriotism! I have as much of it as most people, but my sentimental patriotism will not allow me to trifle with the solemn obligation I took at the Speaker's desk when I was sworn in as a member of this House.

Now, sir, I put it on another ground—and I beg my democratic friends around me to hear me, and I beg the gentlemen on the republican side of this Chamber to hear me—I put it on the ground *that the only limit to this growing corruption in the country is a limitation upon the power of the Government.* If you would advertise to this country that any scheme that a plausible committee or commission can induce gentlemen to strain themselves up to the point of believing to be for the general welfare is open to the exercise of power by this Congress, I tell you, sir, it will be an advertisement for jobbers; and the lobby will be so filled that its agents "will push us from our stools," and drive its members from this House. But whenever it comes to that the people of the country will say, thank God, they shall not sit here any longer! Whenever you claim power to do anything which you may judge for the general welfare, you proclaim to the country and to all its schemers and jobbers this invitation: "Have any of you any scheme you think for the general welfare? If so, bring it forward!" There will be no lack of them, sir, and the lobbyists out there will corrupt this body if it is corruptible. Your credit mobiliers, your railroads schemes, and all your other thousand plans for plunder upon the public Treasury and upon the tax-paying and the tax-burdened people of the land will be without remedy. There is only one remedy, and that is *to limit power;* but there is no limitation of power, if this Government can do anything it pleases upon the ground of "general welfare."

Mr. Chairman, I will not trespass upon the patience of the House further than to say this, that in every country there may be an ultimate analysis of all its great interests into two classes: the tax-consumer and the tax-payer, and as Lord Bacon once said about the wolf and the sheep, "The sheep are never too many for the wolf;" so you will find the multiplication of jobs under your indefinite and unlimited claim of power will never be too great for the *tax-consumer.* The man who feeds at the Federal crib does not care how much taxation is wrung from the pockets of hard-working people at home so he is filled and he is fattened.

I believe the mission of this Government at this time is economy, retrenchment, and reform. I know there is nothing in the world so hard as to make an available speech for economy against sentimental patriotism. Gentlemen who are here representing tax-paying constituents are exceedingly liberal with other people's money, and entirely opposed to economy when the expenditure does not touch their own pockets. I believe we have come to that period of time in the history of this Government when it becomes us to put the brakes down and to call a halt in lavish expenditure. And if the tax upon my constituents is only one cent more, and is imposed to carry out an unconstitutional scheme—I will not say job, but to carry out an unconstitutional scheme—I will remember the adage that "it is the last feather that breaks the camel's back;" and I for one shall vote against it.

But my friend from New York [Mr. HEWITT] said it is a very little tax, only three and a half cents; and my friends all around me re-echo the cry, only three and a half cents *per capita*. My friend before me from Illinois, who belongs to that department in this aviary in which we are assembled denominated the spread-eagle, and who delivered so fine a speech this morning, asks "Where is the man who will not give three and a half cents for the glory and honor of his country?" [Laughter.] Why, sir, that is all very fine, but I will remind my friend and I will remind this House of those most eloquent words uttered by one of the most eloquent men who ever spoke the English tongue, in his great speech on American taxation. I will remind them that Edmund Burke said "No man ever doubted the commodity of tea would bear the imposition of three pence." "Would twenty shillings," said he, "have ruined Mr. Hampden's fortune? No, but the payment of half twenty shillings on the principle it was demanded would have made him a slave!" And I say, sir, to make me or my constituents pay one cent upon the principle this bill demands—that is, that you can go outside of the Constitution to do it—will make my people slaves. And Edmund Burke added that it was not the weight of the duty but the weight of the preamble that claimed the right to impose it that the Americans were unable and unwilling to bear. That is the principle here. I do not care about three and a half cents, but I will tell my friend from New York that he cannot assure me or this country that when he gets *his* scheme in for three and a half cents some one else may not come the next day and say, "We also want to have a big show down at Yorktown, or we want to have a great show at Bunker Hill or Chicago. [Laughter.]

Well, why not have a great show at Chicago? "O, you have got no constitutional power." "Ah, none at all? You passed the centennial bill yesterday. Show what is the difference between the two. It will be only three and a half cents more. That would not hurt anybody." But another comes along and says, "I will not let that scheme get through unless mine gets through, too, and mine will only be three and a half cents more." It is well, Mr. Chairman, to remember the canny Scotch proverb, "Monie a mickle maks a muckle." It is the accumulation of the little expenditures that makes up the burdens which oppress the people of the country and paralyze their industries.

You have declared in a late resolution with great unanimity on the other side of the Chamber, and with some dissension on this, that subsidies to private corporations are a thing we are too pure to indulge in. But yet, sir, so soon as a private corporation comes here and asks a subsidy for its enterprise, because it calls itself a centennial corpor-

ation, and talks spread-eagle and sentimental patriotism, we say, "O, it would be unpatriotic to refuse it." There is logic for you!

Now, sir, I am opposed altogether to splendid governments. It is old-fashioned, sir, to say it; but I am old enough to be old-fashioned. I am opposed to a splendid government, and to a squalidly poor people. I am opposed to seeing the tax-consumer reveling in palaces and in luxury while I hear the wail of woe that comes from this tax-burdened people all over the land. I am opposed to it. It is the mission of this House, it is the mission of my political friends around me here to say, This thing must and shall cease. Right here and now, upon the altar of what we believe to be our duty to our people, we will immolate even this sentimental patriotism, and in doing it we will go back to the simple virtues and habits and customs of our forefathers a hundred years ago. We will go back to obeying the law, and will learn the lesson which the good book teaches.

When Saul, the King of Israel, was ordered by the God of Israel to destroy the whole of a particular nation, and all their wealth and pride, in order that there might be no plundering, (for there were plunderers and jobbers in that day, too, I have no doubt,) he determined to save the best of the cattle and the best of the flock, and to do honor to God, which was doing honor to theocratic patriotism, by making great sacrifices on the altars in the temple. When Samuel, the prophet, came and saw it, Saul boasted of what he had done for the glory of God and the honor of his country; and sought thus to propitiate his approval and avoid his rebuke. But Samuel met him with these solemn words: "Behold, to obey is better than sacrifice, and to hearken than the fat of rams!" To obey the Constitution of the country is better than immolations to sentimental patriotism; and Almighty God and our people will be better satisfied with obedience than with our splendid ceremonial. Can we justly put more burdens on this people?

Now, on this subject, I have here what is fitted to my hand in the message of the present governor of New York, who makes a statement, and I have no doubt it is accurate, showing the large increment of taxation in this country in the last twenty years.

He shows that in 1850 the sum total of the taxation of all kinds, Federal, State, and municipal, was $83,000,000; in 1860 it was $154,000,000; in 1870 it was $730,000,000. Thus while the tax *per capita* was $3.57 in 1850 and $4.80 in 1860 it was in 1870 $18.91 per head. And gentlemen talk about increasing it! Now, I am not prepared to do that thing, and I cannot. Gentlemen may do so who represent wealthy constituencies in the North and West. Chicago, I have no doubt, is rich enough to send a million and a half to the Centennial.

[Here the hammer fell.]

Several MEMBERS. Go on.

Mr. TOWNSEND, of New York, obtained the floor.

Mr. TUCKER. I ask the gentleman from New York to yield to me for a single moment. There were some other views I desired to express, and to ask leave to print them.

Mr. COX. I ask that the time of the gentleman from Virginia may be extended, as he has been interrupted by gentlemen on the other side.

Mr. LAWRENCE. I hope there will be no objection to the gentleman's time being extended.

Mr. TOWNSEND, of New York. I have no objection, if it does not cut me off.

Mr. KASSON. I hope the gentleman will indicate what extension of time he wants. It is important that some limits should be put

upon the debate, as there are so many names on the list of gentlemen desiring to speak.

Mr. TUCKER. I think I will complete what I wish to say in ten minutes.

Mr. BANKS. I move that the gentleman's time be extended fifteen minutes.

There was no objection, and it was so ordered.

Mr. TUCKER. I am very much obliged to the gentlemen on the other side who are under no obligations to me of a personal or political character, and to my friends around me, for this extension of time. I shall not, I hope, misuse the indulgence which the House has shown me.

Now, sir, in reference to this whole matter, I have to say that we need, as is urged upon us by the Secretary of the Treasury and by the President of the United States, in order to resume specie payments, that there shall be a surplus in the Treasury, arising from economy in the administration of public affairs.

What this country needs for its prosperity is that the obstruction of taxation should be taken off from the wheels of enterprise. I say, therefore, that just here we must practice economy; practice it in reference to this bill by denying ourselves the appropriation for this great luxury. We must lift the paralysis from the limbs of industry, and we must accumulate money by economy as a means by which to return to specie payments and a sound constitutional currency.

Now, sir, these rules of economy are often spoken of lightly, and almost with derision. But I remember in my readings to have been struck with the saying of a French king, Louis XII, "I would rather that my courtiers should laugh at my parsimony than that my people should weep at my prodigality." And we had better be subjected to the jeers of those who speak contemptuously of our undue economy than impose additional weights upon an already overburdened people.

Gentlemen say that the Government is committed in this matter. I am willing to leave that argument where my friend from Pennsylvania [Mr. COCHRANE] put it.

There is not an act of Congress from 1871 down to 1874, as he has shown, when Congress has not said and provided that the United States are not to be responsible for any part of this expense. In the last act passed by Congress on this subject, on the last day of the last session of Congress, to be found in chapter 130, section 5, where an appropriation is made of $505,000 for the purpose of enabling the Departments to take part in the Centennial, I find these provisions:

And provided further, That the sums hereby appropriated shall cover the entire expense to which the United States Government shall be subjected on account of said exhibition, except the sum appropriated in this act for printing the certificates of stock of said exhibition; and the board on Executive Departments is forbidden to expend any larger sum than is set down herein for each Department, or to enter into any contract or engagement that shall result in any such increased expenditure; and no money shall be taken by any Department for the purposes of this exhibition as aforesaid from any other appropriations except the one hereby made.

It is true this act only applies to the Departments and not to the Centennial Commission; but Congress hedged itself in from all responsibility for any further expenditures. And that is the last act of Congress passed on the last day of the last session. And yet with this full in our faces gentlemen are coming forward at this session asking a million and a half. They say, "We did not cut our coat according to our cloth. We spent more money than we ought to have done." Well, sir, that is their own lookout. But they will see that there is power

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